

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
Ic@lahive.com

JOHN A. LAHIVE, JR. (1928-1997) THOMAS V. SMURZYNSKI RALPH A. LOREN GIULIO A. DeCONTI, JR. ANN LAMPORT HAMMITTE ELIZABETH A. HANLEY AMY BAKER MANDRAGOURAS ANTHONY A. LAURENTANO KEVIN J. CANNING JANE E. REMILLARD DeANN FORAN SMITH PETER C. LAURO JEANNE M. DIGIORGIO DEBRA J. MILASINCIC, Ph.D. DAVID J. RIKKERS DAVID R. BURNS JOHN S. CURRAN SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D.
MEGAN E. WILLIAMS, Ph.D.
RICHA NAND
MICHAEL PHILLIPPS *
LISA M. DIROCCO
HATHAWAY P. RUSSELL **
MARIA LACCOTRIPE ZACHARAKIS, Ph.D
PETER A. DIMATTIA
VINCENT P. LOCCISANO
MERIDETH C. ARNOLD

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.
SIBLEY P. REPPERT

COPY OF PAPERS ORIGINALLY FILED PATENT AGENTS
THEODORE F. WEST
SHAYNE Y. HUEF, Ph.D.
DANIEL B. KO

TECHNICAL SPECIALISTS
CYNTHIA M. SOROOS
PETER W. DINI, Ph.D.
EUIHOON LEE
JENNIFER K. ROSENFIELD
ALLAN TAMESHTIT, Ph.D.
CATHERINE E. MCPHERSON
ERIC F. WAGNER, Ph.D.
SHAHID HASAN, Ph.D.
JACOB G. WEINTRAUB
JONATHAN M. SPARKS, Ph.D.
CRISTIN E. HOWLEY, Ph.D.

* Admitted in NY only ** Admitted in TX only

Box Missing Parts Commissioner for Patents Washington, D.C. 20231



U.S. Patent Application Serial No. 10/001,227

Title:

Methods of Using 18903 to Treat Pain and Pain-Related Disorders

Filed:

November 30, 2001

Inventors:

Rosana Kapeller-Libermann and Inmaculada Silos-Santiago

Attorney Ref.:

MNI-199

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

- 1. Response to Notice to File Missing Parts of Nonprovisional Application (2 pages);
- 2. Executed Declaration, Petition and Power of Attorney for Patent Application (10 pages);
- 3. 24 Sheets of Substitute Drawings (Figures 1A-C, 2, 3A-C, 4A-D, 5A-C, 6A-B, 7A-B, 8A-1 –8B);
- 4. Copy of Formalities Letter;
- 5. Check in the amount of \$2,878.00 to cover the total amount due by Applicants (\$740.00 filing fee, \$2,008.00 extra claims fee, and \$130.00 surcharge fee);
- 6. Statement of Limited Recognition Under 37 C.F.R. §10.9(b); and
- 7. Return postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

Certificate of First Class Mailing (37 C.F.R. §1.8(a))
I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on:

March 28, 2002

Maria C. Laccotripe, Ph.D., J.D.,

Limited Recognition Under 37 C.F.R. §10.9(b)

Date

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Maria C. Laccotripe, Ph.D., J.D.

Limited Recognition Under 37 C.F.R. §10.9(b)

Attorney for Applicants

APR 1 0 2002

COPY OF PAPERS ORIGINALLY FILED

IN THE UNITED STATES PATENT

ND TRADOMARK OFFICE

In re the application of: Rosana Kapeller-Libermann et al.

Group Art Unit: 1623

Serial No.: 10/001,227

Examiner:

Filed: November 30, 2001

For: "Methods of Using 18903 to Treat Pain and Pain-

Related Disorders"

Attorney Docket No.: MNI-199

Box Missing Parts Commissioner for Patents Washington, D.C. 20231

Certificate of First Class Mailing (37 C.F.R. §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

March 28, 2002

Date of Signature and of Mail Deposit

By:

Maria C. Laccotripe, Ph.D., J.D.

Limited Recognition Under 37 C.F.R. §10.9(b)

Attorney for Applicants

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated January 29, 2002, Applicants' attorney submits herewith an executed Declaration, Petition and Power of Attorney for the above-referenced patent application. Enclosed is a check in the amount of \$2,878.00 to cover the total amount due by Applicants (\$740.00

M

filing fee, \$2,008.00 extra claims fee, and \$130.00 surcharge fee). Further enclosed are 24 Sheets of Substitute Drawings (Figures 1A-C, 2, 3A-C, 4A-D, 5A-C, 6A-B, 7A-B, 8A-1 –8B).

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. §§1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. *A duplicate of this letter is enclosed.*

Respectfully submitted,

Maria C. Laccotripe, Ph.D., J.D.

Limited Recognition Under 37 C.F.R. §10.9(b)

Attorney for Applicants

LAHIVE & COCKFIELD, LLP 28 State Street Boston, MA 02109 Tel. (617) 227-7400

Dated: March 28, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE

WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/001,227

11/30/2001

Rosana Kapeller-Libermann

MNI-199

000959 LAHIVE & COCKFIELD 28 STATE STREET **BOSTON, MA 02109**



CONFIRMATION NO. 8456 FORMALITIES LETTER

OC000000007385167

Date Mailed: 01/29/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

BABRAHA1 00000007 10001227

740.00 DP 130.00 OP 720.00 OP 1008.00 OP 280.00 00

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

in application number and filing date have been accorded to this application. The item(s) indicated below, owever, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all equired items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by ling a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2008.
 - **\$720** for **40** total claims over 20.
 - \$1008 for 12 independent claims over 3.
 - \$280 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2878.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

01 FC 02 FC 03 FC 04 FC 05 FC "U A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE